IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.11704 of 2024

Satyam Sagar	***.....***	***Petitioner(s)***
		Represented By Mr.B.Swain,Advocate
	-versus-	
State of Odisha	***.....***	***Opposite Party(s)***
		Represented By Mr.G.Mohanty,S.C.

BLAPL No.11769 of 2024

Alok Behera @ Alok Nath @ Makulu	***.....***	***Petitioner(s)***
		Represented By Mr.S.Sharma,Advocate
	-versus-	
State of Odisha	***.....***	***Opposite Party(s)***
		Represented By Mr.G.Mohanty,S.C.

CORAM:

THE HON'BLE MR. JUSTICE ANANDA CHANDRA BEHERA

ORDER

Order No. **03.12.2024**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Since, both the bail applications Under Section 483 of BNSS, 2023 have arisen out of the same incident vide G.R. Case No.2510 of 2024 in connection with Raghunathpali P.S. Case No.468 of 2024 pending in the Court of learned S.D.J.M, (Panposh) Rourkela, then both the bail applications are taken up together analogously for their final disposal through this common order.

3. I have already heard from the learned counsel for the petitioners

and the learned Standing Counsel for the State.

4. The petitioners are in jail custody since 09.10.2024 having been implicated under Sections 109(2)/118(1)/324(4)/296/326(g)/3(5) BNS read with Sections 25/27 of the Arms Act on the allegations alleged against them that, they (petitioners) being associated with their other co-accuseds had attempted to commit murder of Amarendra Rout.

5. The co-accused of the petitioners i.e. Jyoti Prakash Mallick, Abhijit Mohanty, Abhisek Dhal have already been allowed to go on anticipatory bail vide order dated 21.10.2024 passed in ABLAPL No.11486 of 2024, 11492 of 2024 and 11490 of 2024 respectively and other co-accuseds of the petitioners i.e. Rama Kanta Das @ Chinka, Subham Mishra @ Baja and Babu @ Mahadip Swain have already been allowed to go on regular bail vide order dated 29.10.2024 passed in BLAPL No.10536 of 2024, BLAPL No.10534 and BLAPL No.11035 of 2024 respectively, then at this juncture, by applying the principles of law enunciated by the Apex Court in Para No.71 in the case between ***Satender Kumar Antil Vrs C.B.I.,*** I find no justification to disallow the prayer for bail of the petitioners.

6. Hence, the bail application filed by the petitioners is allowed.

7. They (petitioners) are allowed to go on bail on furnishing bail bond of Rs.50,000/-(rupees fifty thousand) with two solvent sureties each for the like amount to the satisfaction of the Court in seisin over the case with conditions that :-

(i) they (petitioners) shall not involve with similar nature of crime in future.

(ii) they (petitioners) shall appear before the court personally on each date of adjournment of the case.

(iii) they (petitioners) shall not terrorize, coerce, influence or threat to the informant/victim or her family members and witnesses either directly or indirectly in any

manner whatsoever at any stage of the trial of the case, but, in case of his failure to comply any of the aforesaid conditions, the learned trial court is authorized to cancel their respective bail orders outrightly without seeking any permission from this Court for the same.

8. Accordingly, the bail application of the petitioners is disposed of finally.

9. Grant certified copy of this order to the petitioners on proper application.

(A.C. Behera)
Judge

Binayak

Signature Not Verified
Digitally Signed
Signed by: BINAYAK SAHOO
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 03-Dec-2024 18:03:18